

Form B5 (6/90)

FORM 5. INVOLUNTARY PETITION

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| UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF CALIFORNIA | | INVOLUNTARY PETITION |
| IN RE (Name of debtor - if Individual, enter Last, First, Middle Phage Biotechnology Corporation | | ALL OTHER NAMES used by the debtor in the last 6 years (include married, maiden, and trade names): |
| SOC. SEC./TAX I.D. NO. (if more than one, state all): | | |
| STREET ADDRESS OF DEBTOR (No. & Street, City, State, & Zip Code): 6868 Nancy Ridge Drive, Suite A San Diego, CA 92121 | | MAILING ADDRESS OF DEBTOR (if different from street address): 1635 Village Center Circle, Suite 260 Las Vegas, NV 89134 |
| COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS: SAN DIEGO | | |
| LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (if different from previously listed addresses): | | |
| CHAPTER OF BANKRUPTCY CODE UNDER WHICH PETITION IS FILED <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 | | |
| INFORMATION REGARDING THE DEBTOR (Check if applicable boxes) | | |
| Petitioners believe <input type="checkbox"/> Debts are primarily consumer debts <input checked="" type="checkbox"/> Debts are primarily business debts (Complete sections A and B) | | TYPE OF DEBTOR <input type="checkbox"/> Individual <input type="checkbox"/> Corporation Publicly Held <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporate Not Publicly Held <input type="checkbox"/> Other _____ |
| A. TYPE OF BUSINESS (Check one) <input type="checkbox"/> Professional <input type="checkbox"/> Transportation <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Retail/wholesale <input type="checkbox"/> Manufacturing/ <input type="checkbox"/> Construction <input type="checkbox"/> Railroad Mining <input type="checkbox"/> Real Estate <input type="checkbox"/> Stockbroker <input checked="" type="checkbox"/> Other Drug development company | | B. BRIEFLY DESCRIBE NATURE OF BUSINESS |
| VENUE | | |
| <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in the District for 180 days immediately preceding the date of this petition or for a longer part of 180 days than in any other District <input type="checkbox"/> A bankruptcy case concerning debtor's affiliate, general partner or partnership is pending in this District. | | |
| PENDING BANKRUPTCY CASE FILED BY OR AGAINST ANY PARTNER OR AFFILIATE OF THIS DEBTOR (Report information for any additional cases on attached sheets.) | | |
| Name of Debtor | Case Number | Date |
| Relationship | District | Judge |
| ALLEGATIONS (Check applicable boxes) 1. <input checked="" type="checkbox"/> Petitioner(s) are eligible to file this petition pursuant to 11 U.S.C. §303(b). 2. <input checked="" type="checkbox"/> The debtor is a person against whom an order for relief may be entered under title 11 of the United States Code. 3.a. <input checked="" type="checkbox"/> The debtor is generally not paying such debtor's debts as they become due, unless such debts are the subject of a bona fide dispute; or b. <input type="checkbox"/> Within 120 days preceding the filing of this petition, a custodian other than trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession. | | COURT USE ONLY |

X continuation sheets attached

☒ continuation sheets attached

X continuation sheets attached

☒ continuation sheets attached

| TRANSFER OF CLAIM | | |
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| <input type="checkbox"/> Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents that evidence the transfer and any statements that are required under Bankruptcy Rule 1003(a). | | |
| REQUEST FOR RELIEF | | |
| Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition. If any petitioner is a foreign representative appointed in a foreign proceeding, a certified copy of the order of the court granting recognition is attached. | | |
| Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief. | | |
| x _____, Attorney-in-Fact Signature of Petitioner or Representative (State title) Lindsay Fuller | | x _____ Signature of Attorney _____ Date _____ |
| Name of Petitioner _____ Date Signed _____ | | Name of Attorney Firm (If any) _____ |
| Name & Mailing Address of Individual Signing in Representative Capacity Richard C. Ritter, Attorney in Fact Bahnhofstrasse 26, CH-8022 Zurich Switzerland | | Address _____ Telephone No. _____ |
| x _____ Signature of Petitioner or Representative (State title) | | x _____ Signature of Attorney _____ Date _____ |
| Name of Petitioner _____ Date Signed _____ | | Name of Attorney Firm (If any) _____ |
| Name & Mailing Address of Individual Signing in Representative Capacity _____ | | Address _____ Telephone No. _____ |
| x _____ Signature of Petitioner or Representative (State title) | | x _____ Signature of Attorney _____ Date _____ |
| Name of Petitioner _____ Date Signed _____ | | Name of Attorney Firm (If any) _____ |
| Name & Mailing Address of Individual Signing in Representative Capacity _____ | | Address _____ Telephone No. _____ |
| PETITIONING CREDITORS | | |
| Name and Address of Petitioner Lindsay Fuller 12 William Dixon Bay, Winnipeg, Manitoba, R2GBJ4, Canada | Nature of Claim Money Loaned, with Accrued Interest | Amount of Claim \$30,470 |
| Name and Address of Petitioner | Nature of Claim Money Loaned, with Accrued Interest | Amount of Claim |
| Name and Address of Petitioner | Nature of Claim Money Loaned, with Accrued Interest | Amount of Claim |
| Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above. | | Total Amount of Petitioners' Claims \$5,080,227 |